

Minutes of the
Bountiful City Council Meeting
City Council Chambers
November 13, 2012, 7:00 p.m.

Present: Mayor: Joe L. Johnson
Council Members: Richard Higginson, Beth Holbrook, John Marc Knight,
Fred Moss (Arrived 8:02 p.m.), and Thomas Tolman
(Arrived 8:07 p.m.)
City Manager/Attorney: Russell Mahan
City Engineer: Paul Rowland
City Recorder: Kim J. Coleman
Planning/RDA Director: Aric Jensen
Department Heads: Tom Ross, Police
Allen Johnson, Power
Jerry Wilson, Parks
Recording Secretary: Nancy Lawrence

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Standard Examiner, and on the Utah Public Notice Website.

Mayor Johnson called the meeting to order at 7:10 p.m. and welcomed those in attendance. Visiting Boy Scout Marshall Watson led the pledge of allegiance to the flag and Councilman Knight offered a prayer.

APPROVAL OF MINUTES

Minutes of the regular City Council meeting held October 23, 2012 were presented and approved as corrected on a motion made by Councilwoman Holbrook and seconded by Councilman Knight. Councilpersons Higginson, Holbrook, and Knight voted "aye".

COUNCIL REPORTS

Councilwoman Holbrook reminded the group that the Bar J Wranglers will present a concert on December 1st at 7:00 p.m. at Woods Cross High School. This is one of a series of concerts sponsored by the Bountiful Community Service Council. Tickets can be purchased at the City Hall, Winegars, and Dicks Market. Richard Watson from the Bountiful Community Service Council was in attendance to support the upcoming concert.

YOUTH COUNCIL REPORT

Aubrey Black, Youth Mayor, and Nathan Ricks, Youth City Manager, reported that the Youth Council will be assisting with the Bar J Wrangler concert. They have also been discussing service projects which they can do. The Youth Council is assisting the Communities that Care with after-school and Saturday programs designed for young children. In anticipation of providing these services to the Spanish-speaking community, fliers will be printed in English and Spanish.

WEEKLY EXPENDITURES APPROVED FOR THREE PAYMENT DATES

Mayor Johnson presented the Expenditure and Expense Reports for payments made on October 22, 2012 (\$49,019.75), October 30, 2012 (\$853,505.36) and November 5, 2012

1 (\$290,716.54). Mr. Coleman noted that due to the nature of the billing cycles, the City will receive
2 credit on the UAMPS power resource payments. Following a brief discussion, Councilman
3 Higginson made a motion to approve the three expenditure reports, as presented. Councilwoman
4 Holbrook seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook,
5 and Knight voted "aye".
6

7 **ARNELL HEAPS REAPPOINTED AS CITY REPRESENTATIVE TO**
8 **SOUTH DAVIS SEWER DISTRICT BOARD OF TRUSTEES**

9 Mayor Johnson reviewed that Arnell Heaps has served as the City representative on the
10 South Davis Sewer Board of Trustees for some time and has demonstrated capable and
11 conscientious service. Mr. Heaps' term will expire on January 13, 2013. It is recommended that
12 Mr. Heaps be reappointed to serve another four-year term, commencing the first Monday of January
13 2013, and expiring the first Monday of January, 2017. Councilman Knight made a motion to
14 support this recommendation and retain Mr. Heaps as the City representative on the South Davis
15 Sewer District Board of Trustees. Councilwoman Holbrook seconded the motion which carried
16 unanimously. Councilpersons Higginson, Holbrook, and Knight voted "aye".
17

18 **COUNCIL VOTES TO RESTRUCTURE POLICE DEPARTMENT –**
19 **ASSISTANT CHIEF POSITION CREATED**

20 Chief Ross reviewed that the Bountiful Police Department has recently experienced a loss
21 of veteran, ranking officers to other jurisdictions, which has prompted consideration of restructuring
22 the Bountiful Police Department to make us more competitive with agencies around us. He
23 emphasized the importance of retaining experienced officers who can assist with training and
24 mentoring younger supervisors. Subject to the Council's approval of an Assistant Chief position, it
25 is planned that Ed Biehler will be promoted to serve as the Assistant Chief. To make this work with
26 the current budget, a corporal position will be eliminated and other personnel will be reassigned.
27 The cost of this change, for the remaining 8 months of this budget year, will be ~\$15,000.00.
28

29 Following the Chief's presentation justifying the new Assistant Chief position, Lt. Biehler
30 expressed appreciation for the confidence of the Council and Chief in support of this change. He
31 said that he saw this change as an awesome responsibility and one that he will not take lightly. The
32 Mayor expressed appreciation for the foresight of the Chief in bringing these changes and he
33 expressed full confidence in Lt. Biehler as an Assistant Chief. Councilman Knight made a motion
34 that the City create a new position within the Police Department – Assistant Chief – as outlined by
35 Chief Ross. Councilman Higginson seconded the motion. Voting was unanimous with
36 Councilpersons Higginson, Holbrook, and Knight voting "aye".
37

38 **COMPREHENSIVE ANNUAL FINANCIAL REPORT, 2011-12, APPROVED**

39 Gary Keddington and Tyson Beck, from the firm of Keddington & Christensen, were in
40 attendance to review the Comprehensive Annual Financial Report for 2011-12. Mr. Beck reviewed
41 that the purpose of the independent audit was to review the financial statements to determine if they
42 were in compliance with Generally Accepted Accounting Principles (GAAP). He reported that they
43 went through the testing procedures to examine the internal controls as they relate to financial
44 reporting. No opinion is given regarding the internal controls and the Financial Statements were
45 given an unqualified opinion. Mr. Beck expressed appreciation to Mr. Coleman and the financial
46 staff for their cooperation while doing the audit.

1 Mr. Beck referred to the Supplemental Reports which contain the auditors report on the
2 financial statements, and reports associated with compliance with FEMA grant monies which were
3 received due to the wind storm this past December. The auditors identified material adjustments
4 which needed to be made for Fund 53 due to a timing issue. (The City recently changed to a new
5 software which resulted in an excessive workload for the staff and the normal oversight procedures
6 had not yet taken place). There is a plan in place to resolve this matter. The auditors also noted two
7 areas which were over budget (expenditures for RDA and revenue for RAP tax). These were a
8 matter of timing and budget projections and the City will continue to monitor this process closely.
9 Mr. Beck stated that they did not find any significant difficulties and they found no disagreements
10 with management. He expressed appreciation for being a part of this audit.
11

12 Mayor Johnson thanked the auditors and City staff for their diligence in performing the audit
13 process. Councilman Higginson made a motion to approve the Audit, as presented. Councilwoman
14 Holbrook seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook,
15 and Knight voted "aye". Mr. Beck encouraged the Council to take the time and read through
16 management's letter of introduction and concluding statistical findings.
17

18 **REQUESTS FROM POWER DEPARTMENT APPROVED**

19 **Power Pole Bid Awarded to McFarland Cascade.** Mr. Allen Johnson presented a request
20 to purchase 53 power poles to be used to replace aging poles and future construction/maintenance
21 projects throughout the City. It is the recommendation of staff to award the bid to McFarland
22 Cascade (Tacoma, Washington) in the amount of \$32,135.00. These are butt-treated poles which
23 are more safe and easier for crews to climb. Councilman Higginson motioned to award the bid to
24 McFarland Cascade, as recommended. Councilwoman Holbrook seconded the motion which
25 carried unanimously. Councilpersons Higginson, Holbrook and Knight voted "aye".
26

27 Councilman Moss arrived at the meeting at this time (8:02 p.m.).
28

29 **Approval of Invoice from Americom Underground Boring.** Mr. Johnson explained that
30 in the process of providing electrical service to a new subdivision, it became necessary to bore
31 under a creek. And, in that process, the nature of the rockbed under the creek required heavier-duty
32 machinery than was initially anticipated. This resulted in an additional charge of \$9,623.00. Added
33 to the original invoice from Americom, he recommended that the invoice totaling \$18,073.00 be
34 approved. The developer has already paid us for their \$4,000 share of the invoice. Councilman
35 Higginson motioned to approve the invoice, as presented. Councilman Knight seconded the motion
36 and voting was unanimous. Councilpersons Higginson, Holbrook, Knight and Moss voted "aye".
37

38 **Council Approved Purchase of Necessary Wetland Mitigation Credits.** Mr. Johnson
39 reviewed that in the process of upgrading the 138 Substation, Bountiful was required to obtain a
40 wetlands permit from the U.S. Army Corp of Engineers. There was a small area of wetlands within
41 the project boundary that we were required to restore or to provide a mitigation plan. It is the
42 recommendation of staff and the Power Commission to purchase the necessary mitigation credits
43 from Warner Mitigation Bank for a total cost of \$15,600. Following a brief discussion, Councilman
44 Moss motioned to approve the purchase of these credits, as recommended. Councilman Higginson
45 seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight and
46 Moss voted "aye".

Councilman Tolman arrived at the meeting at this time (8:07 p.m.)

At 8:07 p.m. the meeting adjourned to the Planning Conference Room for a Study Session to review the new City Hall design. Those attending this session were Mayor Johnson, Councilpersons Higginson, Holbrook, Knight, Moss and Tolman, Russell Mahan, Paul Rowland, Mark McRae, Aric Jensen, and Lloyd Cheney. Also in attendance were Dennis Forbush (Hogan Construction), and Bill Gould, Dan Gould and Lamar Isman, representing the architectural firm PGAW.

Mr. Rowland reviewed that the purpose of the building is for two separate functions: (1) to house the offices of staff who work for the City, and (2) a public function for citizens and elected/appointed officials who conduct business on behalf of the City. He reviewed the proposed budget for this project and then reviewed proposed/alternative designs for the building. The Council and architects discussed various components and recommendations and preferences were expressed.

STAFF AND CALENDARING ITEMS

Mr. Mahan referred to the closed sessions of City Council which are scheduled for November 15, 19 and 20, 2012 for the purpose of discussing the character and professional competence of individuals.

The meeting adjourned at 9:47 p.m. on a motion made by Councilman Higginson and seconded by Councilman Tolman. Voting was unanimous with Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voting "aye".

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

* * * * *